

IT IS FURTHER ORDERED consistent with Magistrate Judge Hightower's recommendations that:

- Defendant's Rule 12(b)(2) Motion to Dismiss for lack of personal jurisdiction is **DENIED** without prejudice;
- Defendant's Rule 12(b)(6) Motion to Dismiss Plaintiff's Misrepresentation claims under the TIC is **GRANTED**;
- and Defendant's Rule 12(b)(6) Motion to Dismiss Plaintiff's unfair settlement practices claims under the TIC are **DENIED**.

SIGNED this 28th day of December, 2023.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE